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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary	Application No. 09/550,354	Applicant(s) WEBER ET AL.
	Examiner Yogesh C Garg	Art Unit 3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 April 2000* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-55* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-55* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____ .

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *5* .	6) ☐ Other: .

DETAILED ACTION

Claim Objections

1.   Claims 9 and 20 are objected to because of the following informalities:

Claims 9 and 20 recite the limitation "a set of product configurations and a set of

individualized enhancements" in line 29 on page 55, and line 29 on page 57 respectively. This

term fails to provide sufficient antecedence to the limitations in independent claims 1 and 11.

Further claim analysis is based upon the following suggested amendment of this limitation: "said

set of product configurations and said set of individualized enhancements for the said selected

product", which will provide sufficient antecedence to the limitations in independent claims 1 and

11 respectively.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

2.1.   Claims 1-10, 12, and 22-32 are rejected under 35 U.S.C. 112, second

paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap

between the steps. See MPEP § 2172.01.

Claims 1, 12, 22, and 27 recite a set of individualized enhancements as being received

..., however, the claims omits any limitation which would create or generate a set of

individualized enhancements. This step is essential in order that the receiving step is realized.

This omission amounts to a gap between the steps of providing a design interface and receiving via design interface.

Dependent claims of these independent claims also inherit same deficiency.

Note: For further treatment of claims 1-10, 12, and 22-32 on merits the indicated omitted step would be considered part of claims 1, 12, 22, and 27. The Applicant is suggested to amend claims 1, 12, 22, and 27 to overcome this rejection.

2.2.   Claims 26, 32, and 44 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 26 and 32, which are dependencies of claims 22 and 27, recite the limitation, "to save a set of design components" and "storing said set of design components" in lines 16-17 on page 59 and in lines 3-4 on page 61. Claims 22 and 27 recite the terms, " a first set of design components" and " a second set of design components" in lines 11-12, 18-20 on page 58 and in lines 27 on page 59, lines 2-3, 5 on page 60. It is unclear if the term "a set of design components " in claims 26 and 32, is connected to the first set or second set of design components or has no connection with any of them, and therefore renders claims 26 and 32 indefinite and unconnected to independent claims 22 and 27 respectively.

Note: As best understood by the examiner the request to save and store the set of design components is related to the first set of design components. Further analysis of claims 26 and 32 is based upon this suggested amendment of this limitation.

Claim 44 recites the limitation "said design database" in lines 23 and 26 on page 63.

There is insufficient antecedence for this limitation in the claim. As best understood "said design

database" refers to the limitation " a design buffer" in claim 37 in line 19 on page 62.

Note: As best understood by the examiner the limitation "said design database" will be

considered as "said design buffer" for further treating the claim on merits.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-6, 11-13, 16-17, 33, and 35-36 are rejected under 35 U.S.C. 102(e) as

being anticipated by von Rosen et al. (US Patent 6,493,677 B1), hereinafter, referred to as

Rosen.

Regarding claim 1, Rosen teaches a method for facilitating the creation of personalized

products, for use in a system where a user on a user computer can access at least one host

merchant computer via a communication network, the host merchant computer including a web

server in communication with a products database containing information on products available

for personalization and further containing manufacturing capabilities for the products (see at

least abstract, Fig.2, Fig.3), the method comprising:

providing to the user via said communication network at least one web page providing

an assortment of product selections (see at least FIG.9B which shows a web page providing an

assortment of product selections, such as, different types of flavors, col.5, lines 19-27, col.10,

lines 7-18, "....The order specification WWW page 190 includes a WWW form for selecting the

quantity ant type of customized branded merchandize to be ordered......may select the type

[e.g. orange, strawberry]) " available in said products database (see FIG.3, "Product Database

98");

receiving a message from the user via said communication network indicating a

selection of a product from said assortment (see at least col.10, lines 7-18, ""....The order

specification WWW page 190 includes a WWW form for selecting the quantity and type of

customized branded merchandize to be ordered...   According to an actual embodiment of the

present invention, the consumer may select the type [e.g. orange, strawberry]......");

retrieving a set of manufacturing capabilities for said selected product from the products

database (see at least FIGs. 8A & 9A, "The measurements shown are the minimum

requirements for your artwork to get a quality label", FIG.8B, "....You have about 50 characters

space", and "You have as much room as the text shows below. Anything longer will get chopped

off after 65 words", col.9, lines 49-55, ".. the consumer may be required to provide a graphic

image not exceeding a predetermined size .....". Note: The display of size restrictions for the

image and the space restrictions for the amount of text to be input correspond to retrieving and

showing the manufacturing capabilities which restrict the products to be personalized);

providing to the user via said communication network a design interface, said design

interface comprising at least one web page including at least one design tool that allows the

user to select product configuration options and to create individualized enhancements, and

wherein said design tool is conformed to only allow configuration options and enhancements

which satisfy said manufacturing capabilities;

creating at least one set of individualized enhancement for said selected product;

(see at least FIG.9C and col.10, lines 10-47, "...Referring now to FIG. 9C...a JAVA

applet for image manipulation may be transmitted from WWW server 34 to client computer 32

for execution within WWW browser 118.....an applet for cropping the graphic image 194 is

provided....to crop the image to a suitable size....A selection tool 196 is also provided to allow

the consumer to select a portion of the graphic image 194.....". Note: The WWW page 190

allows the user to select product flavors which correspond to a tool selecting product

configuration options and the JAVA applet for image manipulation corresponds to the design

tool to select graphic image, manipulate/configure the images as per his personal choices); and

receiving from the user via said design interface a set of product configuration options

and a set of individualized enhancements for said selected product (see at least col.10, lines 43-

47, " Once the consumer has completed the manipulation......selected the quantity and type of

customized branded merchandise to be ordered , the WWW server 34 may provide a checkout

page 200.....").

Regarding claim 2, Rosen discloses that said individualized enhancements include a

pictorial image incorporated onto said selected product with an image position determined by

the user (see at least col.10, lines 19-42, ".....image manipulation....").

Regarding claim 3, Rosen teaches including a text message incorporated onto said

selected product with a text position determined by the user (col.5, lines 19-27, " ... to

customize the merchandize by providing a graphic image and a text message " and lines 39-43,

" having labels customized with a graphic image and a text message provided by consumer 30

". Note: Allowing consumer the merchandize with text message would inherently allow customer

to position the text as per his choice).

Regarding claim 5, Rosen teaches receiving a search query from the user via said

communication network; and

presenting to the user via said communication network an assortment of digital image

selections retrieved from at least one digital image database in communication with said design

interface, wherein said assortment satisfies said search query.

(see at least col.11, lines 34-42, wherein Rosen teaches that the user selects an item

from menu to display [corresponds to receiving a search query] and in response a gallery of

graphic images is displayed [corresponds to presenting the user with digital image selections as

per search query] retrieved from image database 100-see FIG.3).

Regarding claim 6, Rosen teaches receiving from said user via said communication

network a selected image from said assortment of digital image selections; and

incorporating said selected image into said set of individualized enhancements using

said design tool.

(see at least col.11, lines 34-42 and col.12, lines col.12, lines 5-13, "....At step 1310 a

graphic image is received. As described above [see at least col.10, lines 19-42], the graphic

image may have been cropped........a text message is received ").

Regarding method claims 11-13, all limitations have been analyzed in claims 1 and 2

above.

Regarding method claims 16-17, all limitations have been analyzed per claims 5 and 6 above.

Regarding method claim 33, all limitations are parallel to the limitations of claim 1 and are therefore analyzed on the basis of same rationale.

Regarding method claims 35-36, all limitations are parallel to the limitations of claims 2-3 and are therefore analyzed on the basis of same rationale.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.1.   Claims 4, 9, 15, 20, 22-24, 26-30, 32, 34, 37-41, and 45-51 and 54-55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen and further in view of Lahey (US Patent 6,384,923 B1).

Regarding claim 4, Rosen teaches a method for facilitating the creation of personalized products as analyzed and disclosed in claim 1, above. However, Rosen does not teach that said design interface presents to the user a default set of product configuration options and a default set of enhancements.

Lahey, in the same field of endeavor, i.e. customization of print jobs, teaches that design

interface presents to the user a default set of product configuration options and a default set of

enhancements (see at least col.15, lines 47-53, "...The user may customize the search dialog

boxes 190,202 with the default option......"col.11, lines 61-65).

In view of Lahey, it would have been obvious to a person of an ordinary skill in the art at

the time of the invention to modify Rosen to include the feature such that design interface

presents to the user a default set of product configuration options and a default set of

enhancements. Doing so would enable the users/buyers to display the default features of the

personalized design components/enhancements when he accesses the host merchant site

again to order additional quantity and would not have to go through the process of custom

designing and enhancing the product from the very beginning. Then the user can repeat the

same product or modify specific features only which he wants new in the second product.

Regarding claim 9, Rosen teaches a method for facilitating the creation of

personalized products as analyzed and disclosed in claim 1, above.

Rosen does not teach receiving from the user via said communication network a request

to save said set of product configurations and said set of individualized enhancements; and

storing said set of product configuration selections and said set of individualized enhancements

in a location accessible to that user via said communication network.

Lahey, in the same field of endeavor, i.e. customization of print jobs, teaches receiving

from the user via said communication network a request to save said set of product

configurations and said set of individualized enhancements; and storing said set of product

configuration selections and said set of individualized enhancements in a location accessible to

that user via said communication network (see at least col.15, lines 47-53. The selection of "Set

Default button" for customized search dialog boxes corresponds to receiving a request to save

said set of product configurations and said set of individualized enhancements and storing them

such that it is s accessible when dialog boxes 190,202 are invoked later.).

In view of Lahey, it would have been obvious to a person of an ordinary skill in the art at

the time of the invention to modify Rosen to include the feature of receiving from the user via

said communication network a request to save said set of product configurations and said set of

individualized enhancements; and storing said set of product configuration selections and said

set of individualized enhancements in a location accessible to that user via said communication

network. Doing so would make the system efficient and convenient by enabling the

users/buyers to display the saved default features of the personalized design

components/enhancements to order additional quantity with the same features or to modify

some parameters in the default features without having to go through the process of custom

designing and enhancing the product from the very beginning.

Regarding claim 15, its limitations are analyzed as in claim 4 above.

Regarding claim 20, its limitations are analyzed as in claim 9 above.

Regarding claim 22, Rosen teaches a method for facilitating the creation of

personalized products (see at least abstract, Fig.1, Fig.2), comprising:

receiving from a user via a communication network a first set of design components

created for a first product, said first set of design components corresponding to product

configuration options and individualized enhancements(see at least col.10, lines 42-47. Note:

This process is repeated for every product irrespective of the fact whether it is first or second product);

receiving from the user via said communication network an identifier for a second product selected for personalization (see at least col.10, lines 7-18, ""....The order specification WWW page 190 includes a WWW form for selecting the quantity ant type of customized branded merchandize to be ordered...   According to an actual embodiment of the present invention, the consumer may select the type [e.g. orange, strawberry]......". Note: This process is repeated for every product irrespective of the fact whether it is first or second product);

retrieving a set of manufacturing capabilities for said second product (This limitation is already analyzed in claim 1 above. This process is repeated for every product irrespective of the fact whether it is first or second product);

providing to the user a design interface comprising at least one design tool enabling the user to create said design components, wherein said design interface is adapted so that the user may only create design components which comply with said set of manufacturing capabilities and this is applicable irrespective of the fact if it is first or second set of design components;

creating at least one set of individualized enhancements for said selected product using said design interface; and

receiving from the user via said design interface a set of product configuration options and a set of individualized enhancements for said selected product.

(All the above limitations are parallel to the limitations in claim 1 above and are analyzed on the basis of same rationale.).

Rosen does not show modifying said first set of design components and generating a second set of design components derived from said first set of design components.

Lahey, in the same field of endeavor, i.e. customization of print jobs, teaches modifying

said first set of design components and generating a second set of design components derived

from said first set of design components (see at least col.15, lines 47-62, "...The user may

customize the search dialog boxes 190,202 with the default option......the user saves the

present search operators.....When the search dialog is later invoked, those default search

operators and values appear.....The user may further customize and modify....when the user

selects the Customize button.....". Note: The user saves the parameters/operators for the first

product, retrieves them later by pressing default button and then modifies and customizes the

operators/parameters by pressing the customize button for a new product which could be

second or third product.).

In view of Lahey, it would have been obvious to a person of an ordinary skill in the art at

the time of the invention to modify Rosen to include the feature of modifying said first set of

design components and generating a second set of design components derived from said first

set of design components because this would enable the users/buyers to display the default

design features set for the first product and would not have to go through the process of custom

designing and enhancing the subsequent/second or third product from the very beginning but

merely modify some of the features required to customize a subsequent product, as explicitly

disclosed in Lahey.

Regarding claims 23, 24, and 26, their limitations are already analyzed in claims 1, 5,

and 9 above.

Regarding claim 27, Rosen teaches a method for facilitating the creation of

personalized products, for use in a system where a user on a user computer can access at least

one host merchant computer via a communication network (see at least abstract, Fig.1, Fig.2), the method comprising:

providing to the user via said communication network a design interface, said design interface comprising at least one design tool that allows the user to select product configuration options and to create individualized enhancements,

said configuration options and individualized enhancements comprising design components :

creating at least one set of individualized enhancements for said selected product using said design interface;

receiving a first set of design components corresponding to a first set of individualized enhancements from the user via said design interface before a product to be personalized has been identified;

receiving an identifier for a product selected for personalization from the user via said communication network;

retrieving a set of manufacturing capabilities for said selected product;

adapting said design interface so that the user may only select product configuration options and create individualized enhancements satisfying said set of manufacturing capabilities.

(All the above limitations are parallel to the limitations in claim 1 above and are analyzed on the basis of same rationale.).

Rosen does not show generating a second set of design components derived from said first set of design components and loading said second set of design components into said design interface.

Lahey, in the same field of endeavor, i.e. customization of print jobs, teaches generating a second set of design components derived from said first set of design components and

loading said second set of design components into said design interface (see at least col.15, lines 47-62, "...The user may customize the search dialog boxes 190,202 with the default option......the user saves the present search operators.....When the search dialog is later invoked, those default search operators and values appear.....The user may further customize and modify....when the user selects the Customize button....." . Note: The user saves the parameters/operators for the first product, retrieves them later by pressing default button and then modifies and customizes the operators/parameters by pressing the customize button for a new product which could be second or third product.).

In view of Lahey, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to modify Rosen to include the feature of generating a second set of design components derived from said first set of design components and loading said second set of design components into said design interface because this would enable the users/buyers to display the default design features set for the first product and would not have to go through the process of custom designing and enhancing the subsequent/second or third product from the very beginning but merely modify some of the features required to customize a subsequent product, as explicitly disclosed in Lahey.

Regarding claims 28, 29, 30, 32, and 34, their limitations are already analyzed in claims 23, 1, 24, 26, and 4 above respectively.

Regarding claim 37, Rosen discloses a system to allow a user to design personalized products, the system accessible to a user on a user computer via a communication network (see at least abstract, Fig.1, 2, 3,4, and 5), the system comprising:

a server in communication with said communication network (see at least FIGs.2 & 3 , "

WWW Server 34" in communication with a communication network ,"Internet 20");

a products database in communication with said server, said products database

comprising information on an assortment of product selections available for personalization, and

further comprising manufacturing capabilities for said product selections (see FIG. 3, " Product

database 98", "Image Database 100", FIG.4, "Image Processing Applet" are in communication

with WWW server 34 and include information on product selections and manufacturing

capabilities. Also see Figs. 8A & 9A, " The measurements shown are the minimum requirements

for your artwork to get a quality label", FIG.8B, "....You have about 50 characters space", and "

You have as much room as the text shows below. Anything longer will get chopped off after 65

words", col.9, lines 49-55, "....In an embodiment of the present invention, the consumer may be

required to provide a graphic image not exceeding a predetermined size .....". Note: The display

of size restrictions for the image and the space restrictions for the amount of text to be input

correspond to retrieving and showing the manufacturing capabilities which restrict the products

to be personalized) ;

a personalized product module in communication with said products database, said

personalized product module capable of presenting an assortment of product selections to the

user, and said personalized product module further capable of receiving an identifier of a

selected product from the user (see at least col.5, line 64-col.6, line 67, ".....The WWW server

34 also includes a processing unit 62.....operating system....mass memory 66 also stores the

program code and data for providing a WWW site for creating and ordering customized branded

merchandize....WWW server application program 72 comprises .....generate the WWW

browser displays shown in FIGS 6-11B.... ". See col.5, lines 19-27, " ...allow consumer 30 to

identify the merchandize they wish to order, to customize the merchandize by providing a

graphic image and a text message " , and FIG.9B and Col.10, lines 7-18 which show a web

page providing an assortment of product selections, such as, different types of flavors., e.g.

orange, strawberry).

a set of design tools in communication with said personalized product module that allow

the user to select product configuration options and create individualized enhancements,

wherein said set of design tools is adaptable to only accept product configuration selections and

individualized enhancements which comply with a set of manufacturing capabilities associated

with said selected product (see at least col.10, lines 10-42. Note: The WWW page 190 allows

selecting product flavors which correspond to a tool selecting product configuration options and

the JAVA applet for image manipulation corresponds to the design tool).

Rosen does not disclose a design buffer in communication with said set of design tools,

said design buffer capable of containing product configuration options and individualized

enhancements generated by the user via said set of design tools during a current design

session.

Lahey, in the same field of endeavor, i.e. customization of print jobs, disclose a design

buffer in communication with said set of design tools, said design buffer capable of containing

product configuration options and individualized enhancements generated by the user via said

set of design tools during a current design session.

(see at least col.15, lines 47-53. The selection of "Set Default button" to save and store

the customized search dialog boxes and invoking the dialog boxes 190, 202 to view the default

search operators and values correspond to the design buffer in the application). .

In view of Lahey, it would have been obvious to a person of an ordinary skill in the art at

the time of the invention to modify Rosen to include the feature of design buffer in

communication with said set of design tools, said design buffer capable of containing product

configuration options and individualized enhancements generated by the user via said set of

design tools during a current design session. Doing so would make the system efficient and

convenient by enabling the users/buyers to display the saved default features of the

personalized design components/enhancements to order additional quantity with the same

features or to modify some parameters in the default features for ordering subsequent products

without having to go through the process of custom designing and enhancing the product from

the very beginning.

   Regarding claims 38-41, Rosen/Lahey discloses:

   a product browse tool in communication with said products database, wherein said

product browse tool enables a user to browse said assortment of product selections of said

products database .

   a product search tool in communication with said products database, wherein said

product search tool enables a user to search said assortment of product selections of said

products database for products associated with a search query.

   an image browse tool in communication with said image databases, wherein said image

browse tool enables a user to browse said assortment of digital image selections of said image

databases.

   an image search tool in communication with said image databases, wherein said image

search tool enables a user to search said assortment of digital image selections of said image

databases for images associated with a search query.

   (col.4, line 62-col.5, line 63, "...once connected to the Internet 20, a client computer 32

may utilize a WWW browser application program to view and interact with WWW site....to

customize the merchandise by providing a graphic image.....". Note: The browser application

program is capable to browse and select products and images).

Regarding claim 45, Rosen/Lahey teaches all the limitations of claim 37 as analyzed

above. Rosen/Lahey as applied to claim 37 further teaches:

a template database in communication with said set of design tools, said template

database comprising default sets of design components for each product of said product

database; and

a template module in communication with said template database that generates a

default set of design components for a particular product selected by the user for presentation to

the user at the beginning of the design process

(see at least Lahey, col.15, lines 47-62. BY selecting the "Set Default button" the

parameters are saved and stored as "Default parameters" to be invoked later to display them to

the user or to be used to modify and generate a new default parameters. The storage of default

parameters corresponds to a template database and selecting "set Default button" to generate

default parameters correspond to a template module.).

Regarding claims 46-48, 50-51, and 54-55, their limitations are covered by the

limitations of claims 37-41, and 44-45 and are therefore analyzed and rejected as unpatentable

over Rosen/Lahey.

Regarding claim 49, Rosen/Lahey teaches all the limitations of claim 46 as analyzed

above. Rosen/Lahey also discloses:

at least one image database in communication with said second module, said image

databases comprising an assortment of digital image selections (see at least FIG.3, "..Image

Database 100", col.6, lines 59-61, col.11, lines 10-11, " Viewing a gallery of images supplied by

other users ". Note: The image database is in communication with the WWW page 190 and

image manipulation applet r(see at least Rosen, col.10, lines 10-47) and WWW page 190 and

image manipulation applet correspond to the second module).

4.2.   Claims 7-8 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Rosen and further in view of the web pages "americangreetings.com" as available to the

public on Internet on November 15, 1999, extracted from http:// www.archive.org on 8/22/03 ;

hereinafter, referred to as Americangreetings.

Regarding claim 7, Rosen teaches a method for facilitating the creation of

personalized products as analyzed and disclosed in claim 1, above. Rosen further discloses

receiving a search query from the user via said communication network (see at least col.11,

lines 23-42. Input by the user by selecting an item on the menu to order merchandize or

selecting a graphic image on the menu for display corresponds to the search query from the

user to the web server). Rosen also teaches providing text message to the user via said

communication network which can be used by the user to further enhance it or manipulate it as

per his personal choice (see at least FIG.8B, " This is where you can add a paragraph of

text.....Be creative, go wild, or go with what we have below ....").

Rosen does not show presenting to the user an assortment of text message selections

retrieved from at least one text message database in communication with said design interface,

wherein said assortment satisfies said search query.

However, Americangreetings in the same field of endeavor of customizing greeting cards on line, discloses presenting to the user an assortment of text message selections retrieved from at least one text message database in communication with said design interface, wherein said assortment satisfies said search query (see the box " Our Greetings" and "Find More Greetings ". The box "Our Greetings" is a drop down box which presents an assorted list of greetings in alphabetical order starting from Anniversary, Baby, Birthday......Thanks, Wedding and so on. Americangreetings presents a wide assortment of greetings text to the users in response to their requirements, such as befitting a birthday, anniversary or for a gift, etc. and it would be inherent that these greetings are retrieved from a database.)

In view of Americangreetings", it would have been obvious to a person of an ordinary skill in the art at the time of the invention to modify Rosen to include the feature presenting to the user an assortment of text message selections retrieved from at least one text message database in communication with said design interface, wherein said assortment satisfies said search query because this would enable the users/buyers to select and customize their greetings that they would like to post on their selected products for giving them as birthday or anniversary gifts.

Regarding claim 8, Rosen/Americangreetings teaches receiving from said user via said communication network a selected text message from said assortment of text message selections; and incorporating said selected text message into said set of individualized enhancements using said design tool (see at least Rosen, col.5, lines 18-22 , "...that allow consumer 30 to identify the merchandize they wish to order, to customize the merchandize by providing a graphic image and a text message....", col.5, lines 41-43, "...WWW server 34 comprises bottles having labels customized with a graphic image and text message provided by

consumer 30", col.9, lines 58-64, "....Additionally, the consumer may also be prompted to

provide a text message 186 for inclusion on the customized merchandise).

Regarding claims 18-19, all limitations are covered by the limitations of method claims

7 and 8 and are therefore analyzed and rejected based on the same rationale.

4.3.   Claims 10 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Rosen and further in view of Gillespie et al. (US 2002/0059243 A1, hereinafter, referred to

as Gillespie.).

Regarding claim 10, Rosen teaches a method for facilitating the creation of

personalized products as analyzed and disclosed in claim 1, above. Rosen further teaches that

once all the information about the customized product including information on graphic images

and text messages provided by the consumer has been received by the WWW server 34 the

graphic images are provided to print server 40 for printing the labels (see at least FIG.5, col.5,

lines 36-54. Note: Print server 40 corresponds to a vendor in the application) in the EPS, JPG,

GIF, and TIF file format (see FIG.8A, see box titled, " Pick Your Photo"). .

Rosen does not teach converting said set of product configuration options and said set

of individualized enhancements into at least one file having a format compatible with the needs

of a vendor of said selected product.

Gillespie, in the field of same endeavor, teaches converting said set of product

configuration options and said set of individualized enhancements into at least one file having a

format compatible with the needs of a vendor of said selected product (see at least Page 1,

paragraph 004, "...Converting the non-standard image file to a standard graphics image file format....").

In view of Lahey, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to modify Rosen to include the feature of converting said set of product configuration options and said set of individualized enhancements into at least one file having a format compatible with the needs of a vendor of said selected product. Doing so would allow to accept graphic images from the users in the non-standard format and convert them into valid file types EPS, JPG, GIF, and TIF as required by the printer vendor/server and not letting the users worry about converting their non-standard file formats to EPS, JPG, GIF, and TIF standard formats.

Regarding claim 21, all its limitations are covered by the limitations of method claim 10 and is therefore analyzed and rejected based on the same rationale.

4.4.   Claim 14 is rejected under 35 U.S.C. 103(a) as being obvious over Rosen and further in view of Official Notice.

Regarding claim 14, Rosen teaches Rosen teaches a method for facilitating the creation of personalized products as analyzed and disclosed in claim 11, above. Rosen further discloses incorporating a customized text message (col.5, lines 19-27, " ...allow consumer 30 to identify the merchandize they wish to order, to customize the merchandize by providing a graphic image and a text message " and lines 39-43, " having labels customized with a graphic image and a text message provided by consumer 30 ". Note: Allowing consumer to customize the text message would inherently allow customer to position the text as per his choice). Rosen

also teaches image manipulation features such as image rotation, skewing, coloring which are known to those skilled in the art (see col.10, lines 37-42).

Rosen does not show explicitly that the user in customization of the merchandise also determines a font, color, size, and orientation of the text message.

Official Notice is taken of both the old and well-known concept and benefits of the features allowing computer users using Microsoft Word to determine the selection of the font, color, size and orientation as per his personal choice. Users can manipulate the size of the fonts to increase to appear big or small, can select a font out of the big list available to them, may use different colors to highlight messages like in red, blue or yellow and orient/rotate the text to customize as per his individual liking or choice while preparing social content expression cards like birthday and anniversary cards or preparing project reports to be read by others.

In view of the Official Notice, it would have been obvious to a person of an ordinary skill in the art at the time of the invention to modify Rosen to include the feature of letting user determine a font, text color, text size, and text orientation because it would enable the customers to personalize the text message and customize the selected product as explained above.

4.5.   Claims 25, 31, 42-43 and 52-53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen/Lahey and further in view of Americangreetings.

Regarding claim 25, Rosen/Lahey Rosen teaches a method for facilitating the creation of personalized products as analyzed and disclosed in claim 22, above. Rosen/Lahey further discloses receiving a search query from the user (see at least Rosen, col.11, lines 23-42. Input by the user by selecting an item on the menu to order merchandize or selecting a graphic

image on the menu for display corresponds to the search query from the user to the web

server). Rosen/Lahey also teaches providing text message to the user via said communication

network which can be used by the user to further enhance it or manipulate it as per his personal

choice (see at least Rosen, FIG.8B, " This is where you can add a paragraph of text.....Be

creative, go wild, or go with what we have below ....").

Rosen/Lahey does not show presenting to the user an assortment of text message

selections retrieved from at least one text message database in communication with said design

interface, wherein said assortment satisfies said search query.

However, Americangreetings in the same field of endeavor of customizing greeting cards

on line, discloses presenting to the user an assortment of text message selections retrieved

from at least one text message database in communication with said design interface, wherein

said assortment satisfies said search query (see the box " Our Greetings" and "Find More

Greetings ". The box "Our Greetings" is a drop down box which presents an assorted list of

greetings in alphabetical order starting from Anniversary, Baby, Birthday......Thanks, Wedding

and so on. Americangreetings presents a wide assortment of greetings text to the users in

response to their requirements, such as befitting a birthday, anniversary or for a gift, etc. and it

would be inherent that these greetings are retrieved from a database.)

In view of Americangreetings", it would have been obvious to a person of an ordinary

skill in the art at the time of the invention to modify Rosen/Lahey to include the feature of

presenting to the user an assortment of text message selections retrieved from at least one text

message database in communication with said design interface, wherein said assortment

satisfies said search query because this would enable the users/buyers to customize their

greetings that they would like to post on their selected products for giving them as birthday or

anniversary gifts, as explicitly disclosed in Americangreetings.

Regarding claim 31, Rosen/Lahey teaches all the limitations of claim 27 as analyzed

above. The limitations recited in claim 31 are covered in claim 25 and are analyzed and rejected

as obvious over Rosen/Lahey and further in view of Americangreetings on the basis of same

rationale.

Regarding claims 42 and 43, Rosen/Lahey teaches a system to allow to

design personalized products as disclosed and analyzed in claim 37 above.

Rosen/Lahey further discloses a client computer 32 utilizing a WWW browser application

program which enables the users to view, browse, search at WWW sites provided by WWW

server 34, all databases, like product database 98, image database 100, customer database 96,

etc. connected with the WWW server and to retrieve application programs from the WWW

server for execution in the client computer (see Rosen, col.4, line 59-col.5, line 63). The client

computer 32 utilizing a WWW browser application program is also capable to browse and

search a message database if it is available at the Web site.

Rosen/Lahey does not show a message database in communication with said set of

design tools, said message database comprising an assortment of text message selections and

presenting to the user an assortment of text message selections retrieved from at least one text

message database in communication with said design interface, wherein said assortment

satisfies said search query.

However, Americangreetings in the same field of endeavor of customizing greeting

cards on line, discloses a message database in communication with said set of design tools,

said message database comprising an assortment of text message selections and presenting to

the user an assortment of text message selections retrieved from at least one text message

database in communication with said design interface, wherein said assortment satisfies said search query (see the box " Our Greetings" and "Find More Greetings ". The box "Our Greetings" is a drop down box which presents an assorted list of greetings in alphabetical order starting from Anniversary, Baby, Birthday......Thanks, Wedding and so on. Americangreetings presents a wide assortment of greetings text to the users in response to their requirements, such as befitting a birthday, anniversary or for a gift, etc. and it would be inherent that these greetings are retrieved from a database.)

In view of Americangreetings", it would have been obvious to a person of an ordinary skill in the art at the time of the invention to modify Rosen/Lahey to include a message database in communication with said set of design tools, said message database comprising an assortment of text message selections and presenting to the user an assortment of text message selections retrieved from at least one text message database in communication with said design interface, wherein said assortment satisfies said search query. Doing so would enable the users/buyers to customize their greetings that they would like to post on their selected products for giving them as birthday or anniversary gifts, as explicitly disclosed in Americangreetings.

Regarding claims 52-53, Rosen/Lahey teaches all the limitations of claim 46 as analyzed above. The limitations recited in claims 52-53 are covered by the claims 42-43 and are analyzed and rejected as obvious over Rosen/Lahey and further in view of Americangreetings on the basis of same rationale.

4.6.   Claim 44 is rejected under 35 U.S.C. 103(a) as being obvious over Rosen/Lahey and further in view of Official Notice.

Regarding claim 44, Rosen/Lahey teaches a system to allow a user to design

personalized products as disclosed and analyzed in claim 37 above. Rosen further discloses :

a personal database in communication with said set of design tools, said personal

database being accessible only by a particular customer;

an upload tool in communication with said personal database, said upload tool

configured so as to allow the particular user to upload design information from said personal

database into said design buffer

(see at least Rosen, Fig.8 A, ". To upload your photo or artwork, click on the browser

button and find the graphic file on your personal computer ", and col.9, lines 37-55). Note: The

files stored in the personal computer corresponds to storing the photo or artwork files in a

personal database which could only be accessed by the particular customer and those files can

be accessed by the browser which interacts with the WWW server 34 and applet for

manipulation of images as analyzed in claims 38-41 above);

a save tool (already covered in claim 37 above where a save tool saves and stores

design information generated via design tools as default parameters to be invoked later).

Rosen does not show that said save tool is configured to allow the particular user to

save design information from said design buffer into said personal database.

Official Notice is taken of the old and well known concept and benefits of saving

information into said personal database for to retrieve later and use them again. In view of the

Official Notice, it would have been obvious to a person of an ordinary skill in the art at the time

of the invention to modify Rosen/Lahey as applied to claim 37 to incorporate the feature of

saving design information from said design buffer into said personal database because it would

allow the users to retrieve the saved information later to order additional quantity with the same

features or to modify some parameters in the default features for ordering subsequent products without having to go through the process of custom designing and enhancing the product from the very beginning.

Conclusion

5.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

(i).   Press release, " iPrint.com, the Leasing Online Print Shop, Offers Affordable Personalized Holiday Gifts Via the Internet ", PR Newswire, p2579; Oct 8, 1999; retrieved from Dialog August 21, 2003; Dialog File 16, Dialog Accession# 06706609; hereinafter referred to as iPrint.com. discloses a computerized method and system for creating/designing personalized gifts by putting individualized graphics and text on various types of shirts, neckties, stationary, bags, golf balls, mugs, etc. via communication network on a web site.

(ii)   Press release, " Lycos and AmericanGreetings.com Announce Three-Year Multi-Million Dollar Strategic Alliance .....AmericanGreetings.com Will be Exclusive Provider of Online Greetings Across Complete Lycos Net Sites"; Waltham, Mass. And Cleveland, Ohio; October 25, 1999: extracted from www.lycos.com website on 08/21/2003 discloses a computerized method and system for creating/designing personalized greeting cards for all occasions and events.

(iii)   Anon., " MAXIS: "Simcity" Company Releases New Gift Making software; Innovative Gift Maker lets users design and order presents using PCs "; Business Wire; November 3, 1994 discloses that customers can design and create personalized gifts online by

choosing design templates and manipulating them as per their individualized choices and
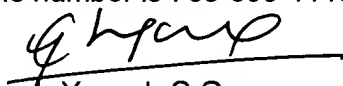
requirements.

(iv)   US Patent 6,397,197 B1 to Gindlesperger discloses a system and a method for

selecting a printing vendor from a plurality of vendors and placing a customized print job online

(see at least col.4, line 55-col.5, line 63).

(v)   WO-99/35551 A2 to Lyons et al. teaches a method and system for custom

coupon marketing and distribution system for consumer product companies,

supermarkets, pharmaceutical companies, etc.

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Yogesh C Garg whose telephone number is 703-306-0252. The examiner

can normally be reached on M-F(8:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Wynn W Coggins can be reached on 703-308-1344. The fax phone number for the

organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is 703-308-1113.

Yogesh C Garg
Examiner
Art Unit 3625

YCG
August 25, 2003